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IN THE UNITED STATES DISTRICT COURT

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10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, )  
12 Plaintiff, ) No. CR 10-00659 DLJ  
13 v. ) STIPULATION AND  
14 ) ORDER CONTINUING REPLY &  
15 CORNELL MAXEY JR., ) HEARING DATE; EXCLUSION OF  
16 ) TIME  
17 Defendant. )

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18 **STIPULATION**

19 IT IS HEREBY STIPULATED, by and between the parties, that defendant Cornell Maxey Jr's  
20 reply brief in support of motion to suppress evidence, currently due on April 1, 2011, may be filed  
21 no later than April 15, 2011; the hearing on defendant's motion to suppress evidence, currently  
22 scheduled for April 15, at 11:00 a.m. may be vacated and continued to April 29, 2011, at 11:00 a.m.  
23

24 IT IS FURTHER STIPULATED that the time until April 29, 2011, shall be excluded in  
25 accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv) for  
26 adequate preparation of counsel, and 18 U.S.C. §3161(h)(1)(D) for delay resulting from the

1 preparation and filing of the pretrial motion to suppress until the conclusion of the hearing.

2 DATED: 3/29/11

\_\_\_\_\_  
/s/

3 JOYCE LEAVITT  
Assistant Federal Public Defender

4 DATED: 3/29/11

\_\_\_\_\_  
/s/

5 JAMES MANN  
Assistant United States Attorney

6  
7 I hereby attest that I have on file all holographed signatures for any signatures indicated by a  
conformed signature (/s/) within this e-filed document.

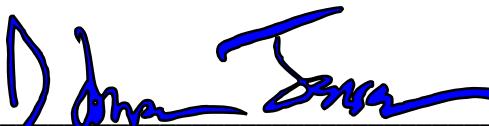
8  
9 **ORDER**

10 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that defendant Cornell Maxey Jr.'s  
11 reply brief in support of motion to suppress evidence may be filed no later than April 15, 2011;  
12 the hearing on defendant's motion shall be continued to April 29, 2011, at 11:00 a.m.

13 IT IS FURTHER ORDERED that the time until April 29, 2011, shall be excluded in  
14 accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv) for  
15 adequate preparation of counsel, and 18 U.S.C. §3161(h)(1)(D) for delay resulting from the  
16 preparation and filing of the pretrial motion until the conclusion of the hearing. The Court finds that  
17 the ends of justice served by the granting of the continuance outweigh the best interests of the public  
18 and defendant in a speedy and public trial and failure to grant the requested continuance would  
20 unreasonably deny counsel the reasonable time necessary for effective preparation, taking into  
21 account due diligence.

22 SO ORDERED.

23  
24 DATED: April 1, 2011

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26   
HONORABLE D. LOWELL JENSEN  
United States District Judge